

HOUSE BILL 269

E2
HB 1525/17 – JUD

8lr1909
CF SB 180

By: **Delegates J. Lewis, Moon, Sanchez, and Sydnor**

Introduced and read first time: January 19, 2018

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Victim Notification – Dissemination and National**
3 **Standards**

4 FOR the purpose of altering a certain definition of “disseminate” to exclude providing
5 information to victims of crime or their representatives; altering the purposes of
6 certain provisions of law relating to the Criminal Justice Information System;
7 ~~requiring the Department of Information Technology to conduct a certain study~~
8 ~~relating to interfaces used for automated victim notification and to report its findings~~
9 ~~and recommendations to the Governor and the General Assembly on or before a~~
10 ~~certain date~~; and generally relating to victim notification.

11 BY repealing and reenacting, without amendments,
12 Article – Criminal Procedure
13 Section 10–201(a)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2017 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Criminal Procedure
18 Section 10–201(g) and 10–203
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2017 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Criminal Procedure

10–201.

(a) In this subtitle the following words have the meanings indicated.

(g) (1) “Disseminate”, with respect to records, means to transmit criminal history record information in any form.

(2) “Disseminate” does not include:

(i) transmitting criminal history record information within a criminal justice unit;

(ii) reporting criminal history record information as required under § 10–214 of this subtitle; [or]

(iii) transmitting criminal history record information between criminal justice units to allow the initiation of subsequent criminal justice proceedings against a person relating to the same crime; **OR**

(IV) PROVIDING INFORMATION TO VICTIMS OF CRIME OR THEIR REPRESENTATIVES.

10–203.

The purpose of this subtitle is:

(1) to create and maintain an accurate and efficient criminal justice information system in the State consistent with:

(i) applicable federal law and regulations;

(ii) the need of criminal justice units in the State for accurate and current criminal history record information; [and]

(iii) the right of persons to be free from improper and unwarranted intrusions into their privacy; and

(IV) THE RIGHTS OF VICTIMS AND VICTIMS’ REPRESENTATIVES TO RECEIVE INFORMATION TO THE EXTENT PRACTICABLE IN ACCORDANCE WITH THE NATIONAL VICTIM NOTIFICATION INFORMATION SHARING STANDARDS DEVELOPED BY THE UNITED STATES DEPARTMENT OF JUSTICE; AND

1 (2) to provide a basic statutory framework within which the objectives of §
2 10-202 of this subtitle can be attained.

3 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Department of~~
4 ~~Information Technology shall:~~

5 ~~(1) analyze the logistics of the current automated victim notification~~
6 ~~process in the State;~~

7 ~~(2) study the effectiveness of the current interfaces used for automated~~
8 ~~victim notification in the State and in other jurisdictions, including the cost of other~~
9 ~~superior interface options and whether it would be possible for Maryland to adopt such~~
10 ~~options;~~

11 ~~(3) make recommendations regarding phasing in policies and practices to~~
12 ~~bring the State into accord with the national victim notification information sharing~~
13 ~~standards developed by the United States Department of Justice; and~~

14 ~~(4) report to the Governor and, in accordance with § 2-1246 of the State~~
15 ~~Government Article, the General Assembly on or before December 31, 2018, on its findings~~
16 ~~and recommendations.~~

17 SECTION ~~2~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 June 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.